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## AMENDMENT TRANSMITTAL LETTER

Docket No.  
SPINE 3.0-437

Application No. 10/783,152-Conf. #7040	Filing Date February 20, 2004	Examiner B. E. Pellegrino	Art Unit 3738
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Applicant(s): Rafail Zubok and Michael W. Dudasik

Invention: PARALLEL DISTRACTOR AND RELATED METHODS FOR USE IN IMPLANTING AN ARTIFICIALINTERVERTEBRAL DISC

### TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
<b>Total Claims</b>	9	- 40 =		x	
<b>Independent Claims</b>	2	- 6 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					

Large Entity  Small Entity

No additional fee is required for this amendment.

Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.

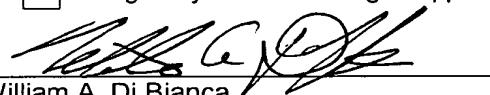
A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge and credit Deposit Account No. 12-1095  
as described below. A duplicate copy of this sheet is enclosed.

Credit any overpayment.

Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

  
William A. Di Bianca

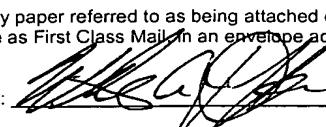
Attorney/Agent Reg. No.: 58,653

Dated: June 25, 2008

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

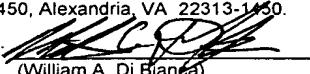
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(William A. Di Blanea)

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPIICPCON  
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :  
Zubok et al. :  
Application No.: 10/783,152 : Group Art Unit: 3738  
Filed: February 20, 2004 : Examiner: B. E.  
For: PARALLEL DISTRACTORS AND RELATED :  
METHODS FOR USE IN IMPLANTING AN :  
ARTIFICIAL INTERVERTEBRAL DISC :  
Commissioner for Patents

P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Dear Sir:

In response to the Official Action mailed January 25, 2008, Applicants submit the following amendments and remarks.